

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	No. 4:16-cv-02485
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
ROBERT D. STUMPH, JR.,	:	
	:	
Defendant.	:	

NOTICE AND ORDER TO SHOW CAUSE

AND NOW, this 28th day of April, 2017, in recognition that:

1. On December 16, 2016, Plaintiff, the United States of America, filed its Complaint in this action against the Defendant, Robert D. Stumph, Jr., ECF No. 1;
2. On March 2, 2017, service of the operative Summons and Complaint was personally made upon the Defendant at SCI Retreat, 660 State Route 11, Hunlock Creek, Luzerne County, Pennsylvania, in accordance with Federal Rule of Civil Procedure 4(e), ECF No. 4;
3. The Defendant has failed to timely answer Plaintiff's Complaint;

4. On April 10, 2017, the Clerk of Court entered Default as to the Defendant, ECF No. 10;
5. On April 10, 2017, Plaintiff moved for entry of Default Judgment as to the claims advanced in its Complaint against the Defendant, ECF No. 7;
6. The Defendant has failed to respond to Plaintiff's Motion for Default Judgment within the time period set forth in the Local Rules;
7. The Defendant has failed to make an appearance in this action;
8. Plaintiff's claim is for \$208,457.85 plus interest accruing upon the unpaid balance from August 24, 2016 at the daily rate of \$23.53 due on a June 28, 2007 loan from the United States Department of Agriculture in the principal amount of \$141,600.00, ECF No. 1 at 1;
9. Accordingly, Plaintiff's claim "is for a sum certain or a sum that can be made certain by computation" as contemplated by Federal Rule of Civil Procedure 55(b)(1); and
10. Counsel for Plaintiff swears that, upon reasonable investigation, the Defendant is not believed to be presently in the military service of

the United States, and in fact, the Defendant appears to be a state inmate; ECF No. 9;

IT IS HEREBY ORDERED that the Defendant, within twenty-one (21) days of this Notice and Order to Show Cause and no later than **May 19, 2017 at 5:00 p.m.**, shall **SHOW CAUSE** as to why this Court should not grant Plaintiff's Motion for Default Judgment. In the event that the Defendant fails to show cause, the Defendant is **NOTICED** that this Court will grant Plaintiff's Motion for Default Judgment in full and will immediately award Plaintiff the entirety of the relief it seeks.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this Order to the Defendant at the following three addresses of record:

Robert D. Stumph, Jr.
660 State Route 11
Hunlock Creek, PA 18621

Robert D. Stumph, Jr.
301 ½ S. Elmer Avenue
Sayre, PA 18840

**Robert D. Stumph, Jr.
48 Pleasant Street
Sayre, PA 18840**

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge